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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Satoshi OTSUKA**

Group Art Unit: **2811**

Serial No.: **10/816,955**

Examiner: **Samuel A. Gebremariam**

Filed: **April 5, 2004**

Confirmation No.: **2296**

For: **SEMICONDUCTOR DEVICE AND METHOD FOR FABRICATING
THE SAME**

Attorney Docket Number: **042322**

Customer Number: **38834**

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Date: March 21, 2005

Sir:

This paper is submitted in response to the Official Action dated February 23, 2005.

In the Action, restriction is required between Group I, Claims (1-11) and Group II, Claims (12-20).

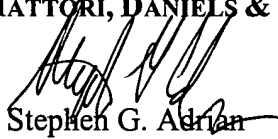
Applicant hereby elects the subject matter of Group I, Claims (1-11) for prosecution in this application. This election is made without traverse, and it is understood that Applicants' rights to the filing of a divisional application directed to the non-elected subject matter under 35 U.S.C. §120 and 35 U.S.C. §121 are retained.

Response to Restriction Requirement
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If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read "Stephen G. Adrian", is written over the printed name.

Stephen G. Adrian
Attorney for Applicants
Registration No. 32,878
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

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